

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,  
and MERSCORP, INC.,

Plaintiffs,

vs.

ROBERT BELLISTRI,

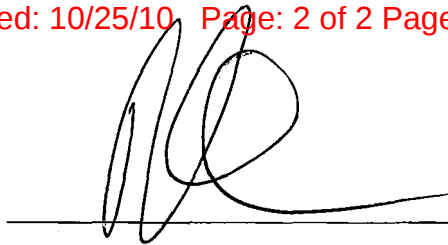
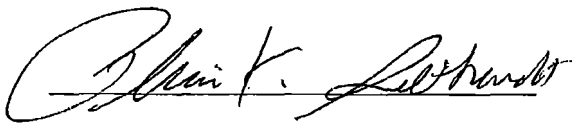
Defendant.

No. 4:09-CV-00731-CAS

**STIPULATION FOR DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii), the parties stipulate that defendant Robert Bellistri's counterclaim shall be dismissed without prejudice, subject to the following conditions:

1. The parties shall negotiate in good faith in an effort to resolve the counterclaim out of court.
2. If the parties are unable to reach agreement, Mr. Bellistri shall have the right to refile the counterclaim in any court of competent jurisdiction. In such event, the parties agree that, for all purposes (including without limitation issues of waiver and limitations), they shall have the same rights that they currently possess on the date of dismissal.
3. Each party shall bear its own costs.



Philip K. Gephardt, E.D. #61304 Gephardt Real Estate and Legal Services, L.L.C. 1720 North Main Street Desoto, MO 63020 (636) 337-0615  Attorneys for Robert Bellistri	Mark G. Arnold, E.D. #2534 Husch Blackwell LLP 190 Carondelet Plaza Suite 600 St. Louis MO 63105 (314) 480-1500  Attorneys for Plaintiffs
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So Ordered:

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Hon. Charles Shaw  
Senior United States District Judge